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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
CASE NO.: 20-CV-3699  
PDV USA, INC.,  
Plaintiff,  
vs.  
INTERAMERICAN CONSULTING INC.,  
Defendant.

-----/

VIDEOTAPED DEPOSITION OF  
INTERGLOBAL YACHT MANAGEMENT, LLC  
BY: JOEL BRAKHA

Monday, February 28, 2022  
10:07 a.m. - 2:58 p.m.

Alexander F. Fox, P.A.  
1 Alhambra Plaza, Suite 1225  
Coral Gables, Florida

Stenographically Reported By:  
Gina Rodriguez, RPR, CRR

1 APPEARANCES:

2 On behalf of Plaintiff PDV USA, Inc.:

3 WILLKIE FARR & GALLAGHER LLP  
4 787 Seventh Avenue  
5 New York, New York 10019  
6 (212) 728-8000

7 BY: BRADY SULLIVAN, ESQUIRE  
8 bsullivan@willkie.com

9 BY: JEFFREY B. KORN, ESQUIRE  
10 jkorn@willkie.com

11 On behalf of Defendant Interamerican Consulting  
12 Inc.:

13 BYRD CAMPBELL  
14 180 Park Avenue North  
15 Suite 2A  
16 Winter Park, Florida 32789  
17 (407) 392-2285

18 BY: JASON JOHNSON, ESQUIRE  
19 jjohnson@byrdcampbell.com

20 On behalf of the Deponent Joel Brakha:

21 ROBERT L. GARDANA, P.A.  
22 12350 S.W. 132nd Court  
23 Suite 204  
24 Miami, Florida 33186  
25 (305) 358-0000

BY: ROBERT L. GARDANA, ESQUIRE  
gardanalaw@gmail.com

ALEXANDER F. FOX, P.A  
1 Alhambra Plaza  
Suite 1225  
Coral Gables, Florida 33134  
(305) 448-1033

BY: ALEXANDER F. FOX, ESQUIRE  
alexfox@alexanderfoxlaw.com

1 APPEARANCES CONTINUED:

2 ALSO PRESENT:

3 Michael Montalvo, Videographer

4 David Rivera

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1           THE VIDEOGRAPHER: Good morning. We're now  
2           on the video record. My name is  
3           Michael Montalvo on behalf of Veritext Legal  
4           Solutions. Today is Monday, February 28, 2022.  
5           And the time is 10:07 a.m. This is the  
6           deposition of Joel Brakha in the matter of  
7           PDV USA Inc. versus Interamerican Consulting  
8           Inc.

9           May counsel please state their appearances  
10          for the record and after this the court reporter  
11          will swear in the witness.

12          MR. SULLIVAN: Brady Sullivan for PDV USA.

13          MR. JOHNSON: Jason Johnson of the  
14          Byrd Campbell firm of Winter Park, Florida for  
15          Interamerican Consulting.

16          MR. GARDANA: Robert Gardana and  
17          Alexander Fox on behalf of the deponent.

18          MR. KORN: Jeffrey Korn of Willkie Farr &  
19          Gallagher.

20          THE COURT REPORTER: Raise your right hand,  
21          please.

22          Do you swear that the testimony you're  
23          about to give will be the truth, the whole  
24          truth, and nothing but the truth?

25          THE WITNESS: Yes.

1     Thereupon:

2                                 JOEL BRAKHA,  
3     having been first duly sworn, was examined and  
4     testified as follows:

5                                 DIRECT EXAMINATION

6     BY MR. SULLIVAN:

7             Q.     Good morning, Mr. Brakha.

8             A.     Good morning.

9             Q.     Could you please state your full name for  
10    the record.

11            A.     Joel Brakha.

12            Q.     What is your current occupation?

13            A.     Yacht broker.

14            Q.     For whom?

15            A.     Interglobal Yacht Sales.

16            Q.     Is there any reason you're not able to  
17    provide truthful testimony today?

18            A.     No.

19            Q.     Do you understand that you're under oath  
20    for today's deposition?

21            A.     Yes.

22            Q.     Ground rules for today are pretty simple.

23    I'll ask you questions, you'll answer them. I'll

24    just ask that you please let me finish my question

25    before giving your answer, and, likewise, I'll try to

1           A.    I don't know if he's got a house in the  
2   Bahamas or not.

3           Q.    What about the other locations?  Miami?

4           A.    Miami, yeah.

5           Q.    St. Martin?

6           A.    I don't know.  Not that I know of.

7           Q.    St. Barts?

8           A.    Not that I know of.  He might have.  I  
9   don't know.

10          Q.    Dominican Republic?

11          A.    I don't know.

12          Q.    Curacao?

13          A.    I don't know.

14               MR. SULLIVAN:  I think I have no further  
15   questions subject to any -- any other questions.

16               MR. GARDANA:  Do you have anything?

17               MR. JOHNSON:  I do.  I have some questions.

18               MR. GARDANA:  Why don't you go ahead.

19               MR. JOHNSON:  Sure.  Thank you.

20               You want to turn my mic on?  Okay.

21                       CROSS-EXAMINATION

22   BY MR. JOHNSON:

23           Q.    You testified that you met with  
24   represent- -- excuse me -- representatives of the  
25   United States Government with respect to the issues



1     you?

2           A.     I don't know.

3           Q.     And you stated that you only met Mr. Rivera  
4     once before today, correct?

5           A.     Correct.

6           Q.     But you can still recognize him from this  
7     photo, correct?

8           A.     Yes.

9           Q.     But not the woman who is standing to his  
10    right in the photo, correct?

11          A.     Correct.

12          Q.     You testified that Mr. Gorrin told you that  
13    you would be receiving payments from someone based on  
14    a closed transaction, correct?

15                 MR. SULLIVAN:  Objection, misstates  
16    testimony.

17          A.     I don't know if it was a closed  
18    transaction, ongoing transaction.  I know it was a  
19    transaction from what he told me.

20    BY MR. JOHNSON:

21          Q.     And was it your understanding that those  
22    payments, while coming from someone else, were  
23    payments to Interglobal Yacht Management on behalf of  
24    Mr. Gorrin?

25          A.     I didn't know where they were coming from.

1 He -- go ahead.

2 Q. But was it your understanding that whoever  
3 was making the payments, they were payments to your  
4 company for amounts that Mr. Gorrin owed?

5 A. Yes.

6 Q. Okay. And payments that Interglobal Yacht  
7 Management received from Interamerican Consulting  
8 were received all in 2017, correct?

9 A. Yes.

10 Q. And so when Mr. Gorrin told you, you were  
11 going to be receiving payments, wouldn't that  
12 conversation have had to have taken place prior to  
13 you receiving the payments from  
14 Interamerican Consulting?

15 A. I would assume so.

16 Q. Well, if not, then, is it possible he was  
17 referring to some other entity that was going to pay  
18 money to you?

19 A. No, he didn't mention an entity per se.

20 Q. Okay.

21 A. He just mentioned a name. As I said  
22 before, Mr. Rivera's, as his partner, going to be  
23 paying -- depositing.

24 Q. Okay.

25 You understood that the monies that

1 Interamerican Consulting paid to Interglobal Yacht  
2 Management were not solely for amounts that  
3 Mr. Gorrin already owed to your company, but were  
4 also for future amounts he might owe for servicing  
5 of the yacht; is that correct?

6 A. Could -- repeat.

7 Q. You understood that the monies that my  
8 client's company paid you, Interamerican Consulting,  
9 were not solely for amounts that Mr. Gorrin already  
10 owed, but were also for amounts that he would owe in  
11 the future; is that correct?

12 A. I mean, it depends on the time, whatever  
13 the credit was. I don't know . . .

14 Q. Well, let's just talk about that because  
15 that's kind of reflected in this Exhibit 19 that we  
16 just went through, right?

17 A. Uh-huh.

18 Q. This escrow ledger, this escrow account  
19 ledger shows a negative balance on March 24th, 2017,  
20 of \$196,001 and some odd cents. The last digit is  
21 cut off.

22 A. Okay.

23 Q. That's the last entry before the first  
24 payment by Interamerican Consulting, right?

25 A. Uh-huh.

1 the negative. Outside of those \$50,000 in  
2 miscellaneous credits, the only money coming into  
3 this account to fund the boat were the payments from  
4 Interamerican Consulting; is that right?

5 A. Well, there were supposed to be one payment  
6 not coming, you know, in separate, that's how they  
7 came, that's how they -- we accounted them for.  
8 There was supposed to be a one payment or one wire --

9 Q. Okay.

10 A. -- coming in to take care of, and, of  
11 course, if the boat was in positive, we didn't really  
12 need to have more deposits if it was not negative or  
13 coming to a negative amount.

14 Q. Well, regardless of how many --

15 A. So that's why the only money that funded  
16 was that money for that period of time.

17 Q. So regardless of how many deposits  
18 Interamerican Consulting made, they made a certain  
19 chunk of money deposited. I think the number was  
20 \$3.75 million, right?

21 A. Yes.

22 Q. And your ledger reflects that that money  
23 was used to fund the servicing and operation of the  
24 yachts, correct?

25 A. Correct.

1 Q. Mr. Gorrin's yachts?

2 A. Yes.

3 Q. So all the monies received by  
4 Interglobal Yacht Management from  
5 Interamerican Consulting were used to service  
6 Mr. Gorrin's yachts?

7 A. Correct.

8 Q. And none of it was paid directly to  
9 Mr. Gorrin, correct?

10 A. Zero.

11 Q. Okay. You refer in some of these emails to  
12 Mr. Gorrin as "mi rey," and I don't speak Spanish,  
13 it's not my --

14 A. No, it's a slang for --

15 Q. Does it mean "my king"?

16 A. Yeah, but it's like "my brother" or  
17 whatever.

18 Q. It is a term of endearment?

19 A. No.

20 Q. Does it -- do you know what that means?  
21 It's an expression of closeness with somebody?

22 A. Extra dear. Like extra dear, you mean?

23 Q. Well, a term of endearment would be like me  
24 calling my wife "my darling" or something like that.  
25 It's an expression of a close relationship.